

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

HOLLY MAGALENGO, on behalf of her
daughter, A.M., a minor,
Plaintiff

Civil Action No. 2:25-cv-00325

v.

UNITED STATES DEPARTMENT OF
EDUCATION, PENNSYLVANIA
INTERSCHOLASTIC ATHLETIC
ASSOCIATION, INC., QUAKERTOWN
COMMUNITY SCHOOL DISTRICT, and
COLONIAL SCHOOL DISTRICT,

Defendants

DECLARATION OF RALPH C. BRETZ, JR.

I, RALPH C. BRETZ, JR., of full age, pursuant to 28 U.S.C. §1746, hereby declare as follows:

Role and Responsibilities

1. I am currently an Assistant Principal and the Athletic Director at Plymouth Whitmarsh High School (“PWHS”) in the Colonial School District. I have held this position for the past seven years.
2. Prior to my employment at PWHS, I was an Athletic Director and Assistant Principal in the Owen J. Roberts School District from 2014-2018.
3. In my role as Athletic Director, my duties include scheduling facilities use, sports games and matches, officials, transportation, budgets for team costs, equipment, and uniforms, disclosure compliance with Title IX, coach interviews, hiring, and evaluations, as well as event management at games, such as arranging for staffing, security, and safe playing areas.

PWHS Sports Teams

4. PWHS has a girls' outdoor track team that competes in the Spring. In the Spring of 2024, there were 39 students on the team. The team does not make cuts. The Spring 2025 team is not set until March 2025.
5. PWHS also has a girls' cross country team that competes in the Fall. In the Fall of 2024, the team had 29 students between the varsity and junior varsity teams.
6. PWHS does not organize or supervise events held by the Delaware Valley Girls' Track Coaches' Association ("DVGTC") indoor track competitions.

PIAA Structure and Procedures

7. Under PIAA rules, athletes in outdoor track and field compete during the regular season in dual meets, double dual meets, and invitational meets. Athletes who reach set qualifying times for specific events at one of these sanctioned events are submitted into the League Championships. Individual advancement in that scenario is based on the runner's times in their events.
8. An athlete's times in sanctioned events who reach set qualifying times are also entered into the District championships. Pennsylvania has 12 Districts across the state. PWHS is in District 1. At District tournaments, the top three to four athletes, depending on the event, advance to the State Championships, where all 12 Districts are represented and send their athletes with the best times to compete at the end of the season. There, again, the athletes are ranked by time.
9. In the League in which PWHS participates, the Suburban One League, there are four divisions (National, Continental, Liberty, and American), each consisting of eight teams. Teams (not just individuals) can compete for their division titles and League Championship

by scoring points for each event in which its team members place first through fifth place.

PWHS and Quakertown Community High School are in the Liberty Division within the Suburban One League, which also includes four other school districts in the area.

10. In the PIAA cross country advancement process, varsity coaches select their top seven runners from each school to participate in the Suburban One League open race.
11. For the District One Open race, again varsity coaches select seven runners to represent their school in the District One race. The top five teams from each District (35 runners) advance onto state qualifications. In addition to the team runners, the next 25 fastest individual times also advance to the State Race. A total of 60 runners from District One can qualify for the State Race – a combination of the top five teams and then the next 25 individual runners.
12. L.A. is the only transgender student competing in PWHS athletics. L.A. began competing in athletics on the girls' track and field team during the spring of 2023. L.A. competed on the girls' cross country and track and field teams during the 2023-2024 and 2024-2025 school year.

Performance in Track and Field

13. Most track and field and cross country race results are maintained on a website called "MileSplit," which is the system PIAA uses to prove qualifying times in cross country and track and field events.
14. Following a review of MileSplit data, Students L.A. and A.M. run just two of the same events in track and field - the 400m and the 4x400m relay.

15. In the Spring 2024 Suburban One League Championships, for the 400m race, L.A. finished 14th out of 22 athletes in the Liberty Division finals with a time of 1:04.95. The top finisher in that race had a time of 58.62.
16. According to MileSplit, no Quakertown athletes advanced to the 400m finals.
17. In the Spring 2024 Suburban One League Championships, L.A.'s 4x400m team placed third in the Liberty Division with a time of 4:09.65. The top finishing team, Abington, ran 3:59.27.
18. No Quakertown team advanced to the finals of the 4x400m race in the 2024 Suburban League Championships for the Liberty Division.

Performance in Cross Country

19. Students L.A. and A.M. both run cross country.
20. Historically, L.A. qualified for the 2023 Suburban One League Championships with a time of 23:58.60, placing 31st out of 41 athletes according to MileSplit. The winning time that year was 18:09.80. MileSplit shows that L.A. also qualified for the 2023 District One meet, finishing 321st out of 355 athletes with a time of 24:18.40. The winning time was 17:35.70.
21. In the Fall 2024 Suburban One League Championships, 64 athletes placed in the MileSplit records. L.A. placed 24th in the conference race. The top finisher's time was 17:52.70. In the Fall District One championships, L.A. placed 139th with 20:52.50. The top finisher in that race ran in 17:22.90.
22. Per MileSplit records, A.M. did not place in the top 64 athletes for cross country.
23. During the Fall 2024 Cross Country season, L.A. ran most meets for the PWHS team. During the PWHS meet against Quakertown Community High School on September 11, 2024, MileSplit shows L.A. ran 21:54. In that race, A.M. ran 22:15.

24. For reference, a 21-minute time for cross country places an athlete around 133rd in the state championship meet based on the times reflected in MileSplit. A 22-minute time for that race places an athlete at about 187 out of 237 qualifying athletes.

Performance in DVGTC

25. Plaintiff's Complaint alleges that students L.A. and A.M. competed in a DVGTC meet on December 13, 2024, in the 4x400m relay race.
26. L.A. and A.M. ran in the same relay event, but not in the same heat. There were four members in each relay. PWHS was in heat 7, QCHS was in heat 2.
27. The MileSplit shows that the PWHS team finished in 1st place and QCHS finished in 25th place. The time difference between 1st and 25th place was 31 seconds. PWHS completed the meet in 4:10 and QCHS completed the meet in 4:41.

Scholarship Process

28. To the best of my knowledge, college recruiters for running teams (both track and cross country), review and consider an athlete's race times throughout their season, watching for consistency of times across the duration of the season to account for outlier conditions or performances. College recruiters do not attribute as much, if any, weight to how many times an athlete is on a podium, or whether the athlete's teammates are of the same caliber so that they are winning team matches consistently.
29. Student L.A. is not being recruited by college running coaches for participation in either track and field or cross country teams at any NCAA division level – 1, 2, or 3. L.A.'s performance times do not meet typical recruitment criteria.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Date: March 3, 2025

By: 
Ralph C. Bretz, Jr.